

IN RE:) CHAPTER 13
JOHN MARK LONG) CASE NUMBER A18-70296-JWC
)
DEBTOR)

MOTION TO DISMISS

COMES NOW Nancy J. Whaley, Standing Chapter 13 Trustee, in the above styled case, and respectfully shows the Court as follows:

1.

Debtor filed a petition for relief under Chapter 13 of Title 11.

2.

Debtor's Plan will exceed sixty months by three (3) months in violation of 11 U.S.C. 1322(d)(2)(C) and 11 U.S.C. 1307(c).

3.

Debtor has failed to tender all plan payments due in accordance with the confirmed plan. As of 9/9/2020 the Trustee received a total of \$5,145.00. The Trustee's records indicate the amount delinquent is \$655.00. A receipt history is attached and marked exhibit A.

Wherefore, the Trustee prays that this case be dismissed or in alternative that the Debtor proposes a modification to meet the requirements of the confirmed plan that ensures that the plan is completed within the allowable time.

This the 10th day of September, 2020.

/s/ _____
Julie M. Anania
Attorney for the Chapter 13 Trustee
State Bar No. 477064
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201

EXHIBIT "A"

CASE NO: A18-70296-JWC
JOHN MARK LONG

09/09/2020

RECEIPT HISTORY OVER THE LAST 12 MONTHS

<u>DATE</u>	<u>TYPE</u>	<u>SOURCE</u>	<u>AMOUNT</u>
September 08, 2020	EPAYPR	7066564000	\$300.00
August 03, 2020	EPAYPR	6983157000	\$300.00
July 06, 2020	EPAYPR	6913168000	\$285.00
June 02, 2020	EPAYPR	6837256000	\$300.00
March 05, 2020	EPAYPR	6618544000	\$300.00
February 06, 2020	EPAYPR	6542336000	\$300.00
January 07, 2020	EPAYPR	6464830000	\$300.00
December 04, 2019	EPAYPR	6381059000	\$320.00
November 05, 2019	EPAYPR	6311056000	\$300.00
Receipt Total:			\$2,705.00

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

IN RE:) CHAPTER 13
JOHN MARK LONG) CASE NUMBER A18-70296-JWC
)
DEBTOR)

NOTICE OF HEARING ON MOTION TO DISMISS CASE

PLEASE TAKE NOTICE that the Chapter 13 Trustee has filed a Motion to Dismiss and related exhibits with the Court seeking an Order of Dismissal.

PLEASE TAKE FURTHER NOTICE that the Court will hold a hearing on **October 20, 2020** at **10:10 am in Courtroom 1203, Richard Russell Building, 75 Ted Turner Drive, S.W., Atlanta, GA. 30303.** *Given the current public health crisis, hearings may be telephonic only. Please check the "Important Information Regarding Court Operations During COVID-19 Outbreak" tab at the top of the GANB Website prior to the hearing for instructions on whether to appear in person or by phone.*

Failure to appear at the hearing or failure to resolve the matter prior to the hearing may result in the dismissal of your case. You should read this motion carefully and discuss it with your attorney, if you have one in your bankruptcy case. (If you do not have an attorney, you may wish to consult one.) If you do not want the Court to grant the dismissal of your case, you and/or your attorney must attend the hearing unless you have settled the matter prior to the hearing.

This the 10th day of September, 2020.

/s/ _____
Julie M. Anania
Attorney for the Chapter 13 Trustee
State Bar No. 477064
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201

CERTIFICATE OF SERVICE

Case No: A18-70296-JWC

I certify that on this day I caused a copy of this Chapter 13 Trustee's Motion to Dismiss to be served via United States First Class Mail with adequate postage prepaid on the following parties at the address shown for each:

JOHN MARK LONG
4556 DUANE DRIVE
BUFORD, GA 30519

I further certify that I have on this day electronically filed the foregoing Chapter 13 Trustee's Motion to Dismiss using the Bankruptcy Court's Electronic Case Filing program, which sends a notice of this document and an accompanying link to this document to the following parties who have appeared in this case under the Bankruptcy Court's Electronic Case Filing program:

Attorney for the Debtor(s):

SLIPAKOFF & SLOMKA, PC

This the 10th day of September, 2020.

/s/ _____
Julie M. Anania
Attorney for the Chapter 13 Trustee
State Bar No. 477064
303 Peachtree Center Avenue, NE
Suite 120
Atlanta, GA 30303
678-992-1201